



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 1, 2004

RQ-2

Larry Ruggiero, Treasurer  
Susan B. Anthony List Candidate Fund  
1800 Diagonal Road, Suite 285  
Alexandria, VA 22314

**Response Due Date:**  
**December 31, 2004**

Identification Number: C00332296

Reference: August Monthly Report (7/01/04-7/31/04)

Dear Mr. Ruggiero:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule A of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §§110.1(d) and 110.2(d) prohibit a committee and its affiliates from receiving any contribution from another political committee or person in excess of \$5,000 per calendar year.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

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Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

-Schedule B supporting Line 23 of your report discloses one or more contributions to a candidate(s) for the 2004 Primary election; however, the funds were disbursed after the election date(s) (see attached). Please note that contributions may not be designated for an election which has already occurred unless the funds are to be used to reduce a candidate committee's debts incurred during that election campaign.

If any apparently impermissible contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If the contribution(s) in question should have been designated for debt retirement, you should amend your report to indicate "debt retirement," along with the year of election.

If you have made an impermissible contribution, you must request a refund or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund.

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Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

Although the Commission may take further legal action regarding this impermissible activity, your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

-Schedule B of your report discloses a total of \$1,990.56 in payment(s) to your connected organization for "List Rental." 2 U.S.C. §441b prohibits a corporation or labor organization from contributing or expending funds for the purpose of influencing any federal election; however, a connected organization may pay for the solicitation and administrative costs of its separate segregated fund. Further, 11 CFR §114.2(f) prohibits corporations and labor organizations from facilitating the making of contributions to candidates or political committees, other than to the separate segregated funds of the corporations and labor organizations. Facilitation means using corporate or labor organization resources or facilities to engage in fundraising activities in connection with any federal election. The use of corporate or labor organization resources in connection with a fundraiser is permissible only if the corporation or labor organization receives advance payment for the fair market value of such services.

Please amend your report to clarify whether the payment to your connected organization was for expenditures which were intended to influence federal elections and provide the dates of the activity conducted by your connected organization. In addition, please clarify whether your committee made advance payment for these services to your connected organization. Although the Commission may take further legal action concerning this matter, your prompt action will be taken into consideration.

-Schedule A of your report discloses earmarked contributions totaling \$19,953, with no corresponding entries on Schedule B. Pursuant to 11 CFR §110.6(e)(1)(v), all earmarked contributions that have passed through a conduit's account must be itemized on the receipt (Schedule A) and disbursement (Schedule B) schedules, regardless of amount. All earmarked

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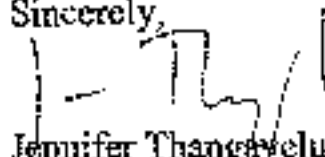
contributions that have been forwarded in the form of the contributor's check or written instrument must be itemized as memo entries on the receipt (Schedule A) and disbursement (Schedule B) schedules, regardless of the amount. Please amend your report to clarify these discrepancies.

-Schedule B of your report discloses earmarked contributions totaling \$195, with no corresponding entries on Schedule A. Pursuant to 11 CFR §110.6(c)(1)(v), all earmarked contributions that have passed through a conduit's account must be itemized on the receipt (Schedule A) and disbursement (Schedule B) schedules, regardless of amount. All earmarked contributions that have been forwarded in the form of the contributor's check or written instrument must be itemized as memo entries on the receipt (Schedule A) and disbursement (Schedule B) schedules, regardless of the amount. Please amend your report to clarify these discrepancies.

Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1143.

Sincerely,



Jennifer Thangavelu  
Campaign Finance Analyst  
Reports Analysis Division

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**Excessive Contribution From an Individual**

Contributor Name	Date	Amount	Report
John Murnane	07/08/04	\$10,000.00	2004 August Monthly

**Contributions After an Election Date**

Recipient Name	Date	Amount	Election	Election State - Date
Anne Northup	7/29/04	\$522.68	P2004	Kentucky - 5/18/04
Anne Northup	7/29/04	\$240.39	P2004	Kentucky - 5/18/04
Anne Northup	7/29/04	\$86.55	P2004	Kentucky - 5/18/04
Anne Northup	7/29/04	\$378.93	P2004	Kentucky - 5/18/04
Arlene Wohlgenuth	7/29/04	\$522.69	P2004	Texas - 3/09/04
Arlene Wohlgenuth	7/29/04	\$240.38	P2004	Texas - 3/09/04
Arlene Wohlgenuth	7/29/04	\$86.55	P2004	Texas - 3/09/04
Arlene Wohlgenuth	7/29/04	\$378.92	P2004	Texas - 3/09/04
James Gerlach	7/29/04	\$522.68	P2004	Pennsylvania - 4/27/04
James Gerlach	7/29/04	\$240.39	P2004	Pennsylvania - 4/27/04
James Gerlach	7/29/04	\$86.55	P2004	Pennsylvania - 4/27/04
James Gerlach	7/29/04	\$378.93	P2004	Pennsylvania - 4/27/04
Jim DeMint	7/29/04	\$522.69	P2004	South Carolina - 6/08/04
Jim DeMint	7/29/04	\$240.39	P2004	South Carolina - 6/08/04
Jim DeMint	7/29/04	\$86.55	P2004	South Carolina - 6/08/04
Jim DeMint	7/29/04	\$378.93	P2004	South Carolina - 6/08/04
Jo Ann Davis	7/29/04	\$522.68	P2004	Virginia - 6/08/04
Jo Ann Davis	7/29/04	\$240.39	P2004	Virginia - 6/08/04
Jo Ann Davis	7/29/04	\$86.54	P2004	Virginia - 6/08/04
Jo Ann Davis	7/29/04	\$378.93	P2004	Virginia - 6/08/04
Larry Diedrich	7/29/04	\$522.68	P2004	South Dakota - 6/01/04
Larry Diedrich	7/29/04	\$240.39	P2004	South Dakota - 6/01/04
Larry Diedrich	7/29/04	\$86.55	P2004	South Dakota - 6/01/04
Larry Diedrich	7/29/04	\$378.93	P2004	South Dakota - 6/01/04
Melissa Hart	7/29/04	\$522.68	P2004	Pennsylvania - 4/27/04
Melissa Hart	7/29/04	\$240.39	P2004	Pennsylvania - 4/27/04
Melissa Hart	7/29/04	\$86.54	P2004	Pennsylvania - 4/27/04
Melissa Hart	7/29/04	\$378.93	P2004	Pennsylvania - 4/27/04

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Contributions After an Election Date (continued)

Recipient Name	Date	Amount	Election	Election State - Date
Mike Pence	7/29/04	\$522.68	P2004	Indiana - 5/04/04
Mike Pence	7/29/04	\$240.39	P2004	Indiana - 5/04/04
Mike Pence	7/29/04	\$86.54	P2004	Indiana - 5/04/04
Mike Pence	7/29/04	\$378.93	P2004	Indiana - 5/04/04
Philip Crane	7/29/04	\$522.68	P2004	Illinois - 3/16/04
Philip Crane	7/29/04	\$240.39	P2004	Illinois - 3/16/04
Philip Crane	7/29/04	\$86.54	P2004	Illinois - 3/16/04
Philip Crane	7/29/04	\$378.93	P2004	Illinois - 3/16/04
Sue Myrick	7/29/04	\$522.68	P2004	North Carolina - 7/20/04
Sue Myrick	7/29/04	\$240.39	P2004	North Carolina - 7/20/04
Sue Myrick	7/29/04	\$86.54	P2004	North Carolina - 7/20/04
Sue Myrick	7/29/04	\$378.93	P2004	North Carolina - 7/20/04
Virginia Foxx for Congress	7/21/04	\$10.00	P2004	North Carolina - 7/20/04
Virginia Foxx	7/29/04	\$522.69	P2004	North Carolina - 7/20/04
Virginia Foxx	7/29/04	\$378.93	P2004	North Carolina - 7/20/04

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